

REMARKS

Claims 1, 3, 5-8, 10-11, 14-25, 27, 29-32, 34-44, 46-56, 60-62 and 67-79 are pending in the present application. Applicant thanks the Examiner for the allowance of Claims 7, 8, 10, 11 and 14-22. Claims 1, 5, 6, 25, 29-31, 34, 43, 46, 60-62 and 67-69 were amended as hereinafter discussed to place the claims in condition for allowance. In addition, Claims 70-79 were added. These amendments and additions have added no new matter.

Interview Summary

The Applicant thanks the Examiners for the courtesies extended to the undersigned attorney during the telephonic interview conducted on July 28 and 30, 2004. During the interviews, U.K. Patent Application No. 2 322 248 A to Fujitsu Limited with inventor Ken Hashimoto, U.S. Patent No. 5,774,802 to Tell et al. and U.S. Patent No. 6,580, 904 to Cox et al. were discussed in view of the features recited in Claims 1, 2, 5, 25, 26, 29, 31, 33, 57 and 63. The Examiner and Applicant's representative reached agreement that Claims 2 and 26 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Possible amendments to Claims 5 and 29 were also discussed, and it was noted that the cited references did not disclose the possible amendments that were discussed.

The 35 U.S.C. 103(a) Claim Rejections

Pending Claims 1, 3, 5-6, 23-25, 27, 29-32, 35-44 and 47-56 stand rejected pursuant to 35 U.S.C. 103(a) as being unpatentable over U.K. Patent Application No. 2 322 248 A to Fujitsu Limited with inventor Ken Hashimoto (hereinafter "Hashimoto") in view of U.S. Patent No. 5,774,802 to Tell et al. (hereinafter "Tell") and further in view of U.S. Patent No. 6,580, 904 to Cox et al. (hereinafter "Cox"). In addition, claims 35-40 and 47-52 stand rejected pursuant to 35 U.S.C. 103(a) as being unpatentable over Hashimoto in view of Tell, in view of Cox and further in view of U.S. Patent No. 6,138,003 to Kingdon et al. (hereinafter "Kingdon"). Applicant respectfully traverses these rejections for at least the following reasons.

Claims 1, 3, 23 and 24

Independent Claim 1 has been amended to incorporate the features provided in dependent Claims 2 and 4, and Claims 2 and 4 have been cancelled. Dependent Claims 2 and 4 were identified by the Examiner as allowable if re-written to include the features of Claim 1. Accordingly, independent Claim 1 as amended is allowable. Dependent Claims 3, 23 and 24 depend from independent Claim 1 and are therefore allowable for at least the same reasons. Removal of the 35 U.S.C. 103(a) rejection of Claims 1, 3, 23 and 24 is respectfully requested.

Claims 5-6, 24, 29-30 and 55-56

With regard to amended Claims 5 and 29, the Examiner has acknowledged that various precisions are provided by the various mechanisms capable of determining location. However, amended Claim 5 describes determining a level of precision of location information needed by a computer that is in communication with a mobile communication terminal. Claim 5 also provides that the computer is configured to provide position related information to the mobile communication terminal based on location information that is at or above the determined level of precision. In addition, Claim 5 provides that the location information is converted to the determined level of precision. Claim 6 has been amended to maintain antecedent basis with amended Claim 5.

Amended Claim 29 includes a location information generating unit for detection of the position of a mobile communication terminal and generation of location information at one of a plurality of different levels of precision. The location information generating unit of Claim 29 is configured to determine a level of precision of the location information that is needed by a computer. In addition, the location information generating unit is configured to generate the location information based on the determined level of precision so that the location information is generated at or above the determined level of precision. Claim 30 has been amended to maintain antecedent basis with amended Claim 29.

The cited prior art, on the other hand makes no mention of determining a needed level of precision or converting a level of precision based on a needed level of precision. In contrast, the cited prior art, specifically Hasimoto, teaches that the location information that is

acquired is the highest precision available (p. 8, lines 21-25 and p. 12, lines 19-23). As indicated in the office action mailed June 16, 2004, Hasimoto also teaches that the location information is used to display a current position and a map of the surrounding area. (office action response dated 6/16/04 p. 4, 3rd paragraph) Clearly, Hasimoto does not take into account the level of precision, but instead always uses the most precise location information available. It therefore follows that Hasimoto does not teach, suggest or disclose that the location information is converted to a determined level of precision as described in Claim 5 or generated based on a determined level of precision so that the location information is at or above the determined level of precision as provided in Claim 29. It also follows that Hasimoto fails to teach, suggest or disclose that the converted/generated location information is notified to a computer as provided in Claims 5 and 29.

As described on page 25 line 2-19 of the Applicant's specification, the needed level of precision is different for position tracking information (high precision), area of town information (medium precision) and a weather report (low precision). As provided in Claim 5 (29), the needed level of precision is determined, and the location information is converted to (generated at) the needed level of precision. Clearly, Hasimoto does not teach, suggest or disclose any consideration of a needed level of precision, and instead always uses the highest precision available. (see also dependent claims 71 and 75.) In fact, neither Hasimoto, Cox nor Tell even consider converting/generating the level of precision based on what is needed by a computer.

For at least the foregoing reasons, a *prima facie* case of obviousness has not been established with respect to Claims 5 and 29. In addition, dependent claims 6, 24, 55-56 and 30, 55-56 depend from independent Claims 1 and 29, respectively, and are therefore also not taught, suggested or disclosed by any of the cited references. Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejection of Claims 5-6, 24, 29-30 and 55-56.

Claims 31-32, 34-42 and 55-56

Independent Claim 31 has been amended to incorporate the features provided in dependent Claim 33, and Claim 33 has been cancelled. Dependent Claim 33 was identified by the Examiner as allowable if re-written to include the features of Claim 31. Accordingly,

independent Claim 31 as amended is allowable. Dependent Claims 32, 34-42 and 55-56 depend from independent Claim 31 and are therefore allowable for at least the same reasons. Removal of the 35 U.S.C. 103(a) rejection of Claims 31-32, 34-42 and 55-56 is respectfully requested.

Claims 43-44 and 46-56

Independent Claim 43 has been amended to incorporate the features provided in dependent Claim 45, and Claim 45 has been cancelled. Dependent Claim 45 was identified by the Examiner as allowable if re-written to include the features of Claim 43. Accordingly, independent Claim 43 as amended is allowable. Dependent Claims 44 and 46-56 depend from independent Claim 43 and are therefore allowable for at least the same reasons. Removal of the 35 U.S.C. 103(a) rejection of Claims 43-44 and 46-56 is respectfully requested.

Claims 60-62 and 71-72

Dependent Claims 60 and 61 have been amended to be independent claims incorporating all of the features provided in independent Claim 57, and Claim 57 has been cancelled. Dependent Claims 60 and 61 were identified by the Examiner as allowable if re-written to include the features of cancelled Claim 57. Accordingly, independent Claims 60 and 61 as amended are allowable. Dependent Claims 58-59 were cancelled and rewritten as new dependent Claims 71-72 to depend from both independent Claims 60 and 61. In addition, dependent Claim 62 was amended to depend from both independent Claims 60 and 61. Accordingly, claims 62 and 71-72 are allowable for at least the same reasons. Removal of the 35 U.S.C. 103(a) rejection of Claims 60-62 is respectfully requested.

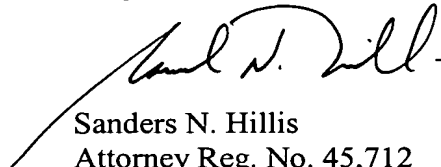
Claims 67-69 and 73-75

Dependent Claims 67 and 68 have been amended to be independent claims incorporating all of the features provided in independent Claim 63, and Claim 63 has been cancelled. Dependent Claims 67 and 68 were identified by the Examiner as allowable if re-written to include the features of cancelled Claim 63. Accordingly, independent Claims 67 and 68 as amended are allowable. Dependent Claims 64-66 were cancelled and rewritten as

new dependent Claims 73-75 to depend from both independent Claims 67 and 68. In addition, dependent Claim 69 was amended to depend from both independent Claims 67 and 68. Accordingly, claims 69 and 73-75 are allowable for at least the same reasons. Removal of the 35 U.S.C. 103(a) rejection of Claims 67-69 is respectfully requested.

The application is believed to now be in condition for allowance, which is respectfully requested. Should the Examiner deem a telephone conference to be beneficial in expediting allowance of this application, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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